

Herbert A Viergutz

From: "Herbert A Viergutz" <barmar@gci.net>
To: "Steven J. Shamburek" <shamburek@gci.net>
Cc: "Michael W. Sewright" <mws@bpk.com>
Sent: Thursday, February 16, 2006 8:16 AM
Subject: expert depositions

Enough e-mails on your position vs. mine. It is simply obvious to me that rather than litigate, you choose to engage in procedural rancor. I will keep March 28 open for the deposition of my expert. Talking about untimeliness, Mike said you were going to Notice the deposition of Mr. Terwilliger, but I still haven't seen that, although it was discussed a long time ago.

2/16/06

Exhibit A page 8 of 9